

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
 v.) CRIMINAL NO. 04-10114-DPW
)
)
1. ANTONIO CARDONA,)
a/k/a "ANT," and)
)
2. JEROME LASSITER,)
a/k/a "BUTTA,")
)
Defendants.)

JOINT FINAL STATUS CONFERENCE MEMORANDUM

Now come the parties to the above-captioned matter and, by and through the undersigned counsel, submit the following Joint Final Status Conference Memorandum pursuant to Local Rule 116.5(C):

- (1) There are no outstanding discovery issues.
- (2) No party anticipates providing additional discovery as a result of its future receipt of information, documents, or reports of examination or tests.
- (3) Neither defendant intends to raise a defense of insanity or public authority.
- (4) The government in its automatic discovery letter requested notice of alibi by either defendant and no such notice has been provided.
- (5) Neither defendant has filed or intends to file any motion to sever, dismiss, or suppress, or any other motion requiring a ruling by the District Court before trial.
- (6) The District Court should be asked to set a date in November for a change of plea by Antonio Cardona and should be

asked to set a date for a change of plea by Jerome Lassiter two weeks or more after a pre-plea Pre-Sentence Report has been disclosed to Lassiter and the government.

(7) As noted in the preceding paragraph, it is anticipated that both defendants will enter guilty pleas: Antonio Cardona is currently reviewing a draft plea agreement recently provided by the government and the District Court recently granted Jerome Lassiter's motion for a pre-plea Pre-Sentence Report ("PSR").

(8) The parties agree that the period of time from April 18, 2004 until two weeks after disclosure of Lassiter's PSR to the government and Lassiter is excludable for purposes of the Speedy Trial Act for the following reasons:

The parties previously assented to and Magistrate Judge Alexander granted a motion to exclude the periods of time from April 18 through May 21 and from May 26 through August 3, 2004.

The government filed on May 11 its Motion for a Protective Order which was not opposed and which was granted by Magistrate Judge Alexander on May 26, therefore the period of time from May 11 through May 26, 2004 also is excludable.

The parties previously assented to and Magistrate Judge Alexander granted a motion to exclude the period of time from August 3 through October 10 (which should have been October 20, the date of the Final Status Conference), 2004.

Jerome Lassiter filed on September 20, 2004 his Motion for Advance PSR and, later that same day, the government filed a motion, assented to by Jerome Lassiter, to exclude the

period of time from September 20, 2004 until two weeks after the disclosure of a PSR to the government and to Lassiter. On October 13, 2004, the District Court granted Lassiter's motion and excluded for purposes of the Speedy Trial Act as to both defendants the period of time from September 20, 2004 until two weeks after the disclosure of a PSR to the government and to Lassiter.

(9) As noted above, the parties do not anticipate a trial in this matter.

Respectfully submitted,

JEROME LASSITER
By his Attorney

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Date: October 15, 2004